

MINUTES OF REGULAR MEETING February 6, 2019

1. CALL TO ORDER

Mayor Mazza called the meeting to order at 7:00 p.m.

- 2. "Sunshine Law" Announcement-** Adequate notice of this public meeting has been provided by Annual Notice; published in the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE**4. ROLL CALL**

	Present	Absent
Mr. Severino	x	
Mr. Mazza	x	
Mr. Hirt	x	
vacant		
Mr. Stothoff	x	

Also present J.P. Jost, Attorney, Robert C. Clerico, P.E., Grace Brennan, CFO and Municipal Clerk Ella M. Ruta.

Appointment to Replace Committeeman Mike Sroka as a Member of the Township Committee for an Unexpired Term

Mayor Mazza stated that the legal process had been followed to replace Committeeman Sroka who resigned from his seat at the beginning of January. He said three names were given by the Township of Union Republican County Committee to fill the vacant seat. The three candidates were Alan Ford, Charles Neary and Page Stiger. Mayor Mazza said that Mr. Ford withdrew his candidacy. Messrs. Neary and Stiger were the two candidates interviewed by the four members of the Township Committee and UT Republican County Committee who recommended both candidates.

Mr. Stothoff made a motion to recommend Page Stiger to fill the remainder of an unexpired term through December 31, 2019. Mr. Severino seconded the motion.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt			x			
vacant						
Mr. Stothoff	x		x			

Motion carried

At this time, Atty. Jost sworn Mr. Stiger as the Township of Union Committeeman.

5. APPROVAL OF PRIOR MEETING MINUTES

- Regular and Executive Session Meeting Minutes of January 2, 2019
- Regular and Executive Session Meeting Minutes of January 16, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Mr. Stiger					X	
Mr. Stothoff		X	X			

Motion carried

6. VISITORS - none

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 1/11/19; 1/20/19; 1/25/19
- b. Public Safety Coordinator - Distributed written report and explained the report in detail
- c. Engineer's Report
 - Updated Committee on responses from recipients of the letter regarding Detention Basins.
 - NJ DOT Grants are under review by the State. Will know the results later this month.
 - Frontage Road Project is also being submitted to the State for review.
 - Updated the Committee on the County's Wastewater Management Plan with regard to the Township.
 - Asked for authorization to prepare Bid Specs for Country Acres Road Repairs.

Mr. Severino asked that the following motion be approved:

To authorize Engineer Clerico to prepare Bid Specs for Country Acres Road Repairs/ Improvements as per discussion in the Budget meeting earlier today.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Mr. Stiger			X			
Mr. Stothoff		X	X			

Motion carried

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Hirt reported the following:

- Mentioned a Tort Claim submitted to the Township. Mr. Hirt said that the location of the accident was not in the Township of Union. Atty. Jost said that he responded to the letter regarding the Claim. Mrs. Brennan will forward the claim to the Township's Insurance Agent.

9. PUBLIC COMMENTS

Dan Van Fossen, resident, asked if the Committee was aware of closing of the Route 173 Bridge. Mr. Stothoff said a meeting with NJ DOT, Fire and Emergency Services is scheduled for February 11, 2019.

10. PUBLIC HEARING

ORDINANCE #2019-1

**AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER XIII ENTITLED STREETS, SIDEWALKS AND
DRIVEWAYS BY ADDING SECTION 13-5 ENTITLED "RIGHT-OF-WAY PERMITS"**

To open Public Hearing

Voice Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger			x			
Mr. Stothoff		x	x			

Motion carried

To close the Public Hearing

Voice Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger			x			
Mr. Stothoff			x			

Motion carried

To adopt on the second reading

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger			x			
Mr. Stothoff			x			

Motion carried

11. OLD BUSINESS - None

12. NEW ORDINANCES

13. NEW BUSINESS

- a. The following Resolution was introduced for approval:

RESOLUTION #2019-28

**TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND REDEMPTION TO LIENHOLDER**

WHEREAS, Tax Sale Certificate #2015-002 was issued to US Bank Cust for PC6, LLC Sterling National, in the amount of \$1,592.58 on October 16, 2015; and

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WHEREAS, the lien was redeemed on January 11, 2019, in the amount of \$13,419.77 in accordance with provisions of NJSA 54:5-60 et seq.; and

NOW, THEREFORE, BE IT RESOLVED, on this 6th day of February, 2019, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Treasurer issue a check in the amount of \$13,419.77 payable to US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102
2. That this resolution shall take effect immediately upon adoption.

Approved: February 6, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger			x			
Mr. Stothoff		x	x			

Motion carried

b. The following Resolution was introduced for approval:

Resolution #2019-29

UNION TOWNSHIP, HUNTERDON COUNTY
APPROPRIATION RESERVES TRANSFER(S)

Be it resolved by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2018 Appropriation Reserves in the following accounts:

TO: Engineering OE	10516520A	\$12,000.00
Legal OE	10515520A	6,000.00
Planning Board OE	10518020A	2,000.00
Total		\$20,000.00

WHEREAS, the following account(s) have sufficient excess funds to meet such demands:

FROM: Group Health Ins.	10522020A	\$10,000.00
Road Maint. S & W	10529010A	10,000.00
Total		\$20,000.00

BE IT RESOLVED that in accordance with the provisions of R.S. 40A: 4-58 the Chief Financial Officer is hereby authorized to make the transfer(s) required to meet the obligations of Union Township.

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Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger			x			
Mr. Stothoff		x	x			

Motion carried

c. The following Resolution was introduced for approval:

Resolution 2019-30
Authorizing Release of Reclamation Bond Held by Union Township
Re: Red Hills Industrial Park, Inc.

WHEREAS, Union Township is presently holding the proceeds of a Cash Reclamation/Restoration Bond in the amount of \$97,095.00, which constituted a performance guarantee in the event of the failure of Red Hills Industrial Park, Inc. to complete, in whole or in part, reclamation obligations following completion of quarrying activities as required by Union Township Ordinance entitled “An Ordinance Licensing and Regulating Quarrying” in the Township of Union, Hunterdon County, New Jersey, Section 1-1.5 thereof and in that certain Engineer’s Estimate entitled “Engineer’s Cost Estimate” prepared by Mazer Consulting, P.A. dated March 22, 2006; and

WHEREAS, Union Township Engineer Robert Clerico of Van Cleef Engineering Associates in the attached memo/e-mail dated January 20, 2019 has advised that it would not serve any purpose for the Township to retain all or a portion of the above Cash Bond/Restoration Performance Guarantee (RPG) since the specific work that was anticipated and covered by the noted items of the RPG have subsequently been modified and/or are precluded from being completed by the current Quarry Operation; and

WHEREAS, by order dated August 3, 2018 the U.S. Bankruptcy Court, District of New Jersey, Case No.: 16-14866, ordered that said Reclamation Bond is an asset of only the Debtor, Red Hills Industrial Park, Inc. and of no other person or entity and when the municipality currently holding the Bond determines that it can be released, it shall only be released to the Debtor, for distribution to unsecured creditors of the Debtor and administration expenses, as determined by the Bankruptcy Court; and good cause appearing,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey that the said Cash Reclamation Bond in the amount of \$97,095.00 shall be released in accordance with the Order of the Bankruptcy Court dated August 3, 2018 and a check in said amount shall be issued to Andre L. Kydala, Esq., attorney for the Debtor, payable to Andre L. Kydala Attorney Trust Account; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Approved: February 6, 2019

Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			

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Mr. Hirt		x	x			
Mr. Stiger			x			
Mr. Stothoff			x			

Motion carried conditional on removal "interest accrued" language from the resolution.

d. The following Resolution was introduced for approval:

RESOLUTION #2019-31**UNION TOWNSHIP; HUNTERDON COUNTY****RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2019**

WHEREAS, the Township of Union has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, anticipated term of this contract is one year; and

WHEREAS, J. PETER JOST, ESQ. has submitted a proposal indicating the fee for all other legal services rendered shall be \$170.00 per hour and in no event shall the amount of this contract exceed \$85,000.00, without prior approval of the Township governing body; and

WHEREAS, J. PETER JOST, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that J. PETER JOST, ESQ. has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit J. PETER JOST, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Legal Services, OE; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee authorizes the Mayor and Clerk to enter into a contract with J. PETER JOST, ESQ. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the Hunterdon County Democrat.

Ella M. Ruta, Municipal Clerk

Date: February 6, 2019

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Finance Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the

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2019 Temporary/Adopted Budget to award a contract to J. Peter Jost, as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger			x			
Mr. Stothoff			x			

Motion carried

e. The following Resolution was introduced for approval:

**RESOLUTION #2019-32
UNION TOWNSHIP; HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES 2019
Jonathan E. Drill, Esq. Special Counsel – Affordable Housing**

WHEREAS, the Township of Union has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

WHEREAS, funds are available in an appropriation entitled Legal Services and Costs, Other Expenses and have been certified by the local finance officer; and

WHEREAS, Stickel, Koenig & Sullivan, has completed and submitted a Business Entity Disclosure Certification which certifies that Stickel, Koenig & Sullivan has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit Stickel, Koenig & Sullivan from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A.40A:11-1, et seq.) required that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, NJ, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Jonathan E. Drill, Esq., of Stickel, Koenig & Sullivan, a Professional Corporation, 571 Pompton Avenue, Cedar Grove, New Jersey 07009 for his legal services for **2019** at the hourly rate of \$175.00. The agreement is for a not to exceed amount of \$30,000.00. Any exceedance of that limit will require the issuance of a change order.

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2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because Jonathan E. Drill, Esq. is an attorney at Law of the State of NJ in good standing and is a person authorized to practice a recognized profession.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the **2019** adopted municipal budget.
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: February 6, 2019

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, CFO of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the **2019** Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger			x			
Mr. Stothoff	x		x			

Motion Carried

- f. The following Resolution was introduced for approval:

RESOLUTION #2019-33
UNION TOWNSHIP, HUNTERDON COUNTY

APPROVING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2019
Woolson Sutphen Anderson/Mark S. Anderson, Esq.

WHEREAS, the Township of Union has a need to acquire legal services for the Planning Board/Board of Adjustment as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

WHEREAS, funds are available; and

WHEREAS, MARK S. ANDERSON, Esq. has submitted a proposal indicating the fee of \$150.00 per hour for his services. Charges directly to the Board shall not exceed the sum of \$30,000.00; and

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WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

WHEREAS, MARK S. ANDERSON, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that MARK S. ANDERSON, Esq. has not made any reportable contributions to a political candidate or committee in the Township of Union in the previous one year, and that the contract will prohibit MARK S. ANDERSON, Esq. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Union, Hunterdon County, New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with Mark S. Anderson, Esq., for legal services/Planning Board for 2019.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the 2017 temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: February 6, 2019

**CERTIFICATION AS TO AVAILABILITY OF FUNDS
UNION TOWNSHIP, HUNTERDON COUNTY**

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2019 Temporary/Adopted Budget to award a contract to Mark S. Anderson, Esq., under the line item "_____".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger			x			
Mr. Stothoff	x		x			

Motion Carried

g. The following Resolution was introduced for approval:

RESOLUTION #2019-34

UNION TOWNSHIP, HUNTERDON COUNTY

**APPROVING 2019 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Robert Clerico P.E.; Van Cleef Engineering Associates**

WHEREAS, the Township of Union has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the firm of Van Cleef Engineering Associates, 1128 Route 31, Lebanon, NJ 08833, has completed and submitted a Business Entity Disclosure Certification which certified that Van Cleef Engineering Associates, has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit Van Cleef Engineering Associates from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Van Cleef Engineering Associates as follows:

1. The Engineer shall be compensated at the hourly rate of \$155.00 per hour for his engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Van Cleef Engineering Associates under the direct supervision of Robert Clerico, P.E., when Robert Clerico, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2019, to December 31, 2019.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and part of this agreement.
6. Van Cleef Engineering Associates will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.
8. In accordance with Local Finance Notice 2010-3 this 2019 calendar year contract for Engineering Services is established at a not-to-exceed limit of \$100,000.00. Any exceedance of that limit will require the issuance of a change order.
9. A notice of this action shall be printed once in the official newspaper.

Date: February 6, 2019

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CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2019 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger			x			
Mr. Stothoff			x			

Motion Carried

h. The following Resolution was introduced for approval:

**RESOLUTION #2019-35
UNION TOWNSHIP; HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES 2019
Joseph C. Tauriello, Esq. Special Legal Counsel – United Telephone Tax Appeal**

WHEREAS, the Township of Union has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

WHEREAS, funds are available in an appropriation entitled Legal Services and Costs, Other Expenses and have been certified by the local finance officer; and

WHEREAS, the Attorney is hereby retained by the Contracting Unit to represent the Contracting Unit in relation to defense of the tax appeals entitled, United Telephone, LLC v.Union Township, and any other matters with regard to United Telephone; and

WHEREAS, the Attorney shall keep the Contracting Unit advised of all developments in the above matters; and

WHEREAS, the Attorney shall report to the Township Tax Assessor; and

WHEREAS, this contract shall cover the period from February 6, 2019 until December 31, 2019.

WHEREAS, the Local Public Contracts Law (N.J.S.A.40A:11-1, et seq.) required that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, NJ, as follows:

- a. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with JOSEPH C. TAURIELLO, ESQ., 221 WITHERSPOON STREET, PRINCETON, NEW JERSEY 08542
 1. The Township agrees to compensate the Attorney, which shall not exceed \$175.00 per hour unless amended by further action of the Township for the above-mentioned services. The agreement is for a not to exceed amount of \$40,000. Any exceedance of that limit will require the issuance of a change order.
 2. The consideration for services shall be paid as vouchers as submitted and approved by the Contracting Unit. The Attorney will be reimbursed for out-of-pocket expenses as incurred.
- b. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because Joseph C. Tauriello, Esq. is an attorney at Law of the State of NJ in good standing and is a person authorized to practice a recognized profession.
- c. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the **2019** adopted municipal budget.
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: February 6, 2019

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, CFO of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the **2019** Temporary/Adopted Budget to award a contract to Martin Allen, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger			x			
Mr. Stothoff	x		x			

Motion Carried, subject to submitting all necessary documents and information.

Atty. Jost will provide, not to exceed amount for the contract.

14. REPORTS**a. Attorney's Report**

- Prepared Drainage Easement for Railroad Crossing and mailed along with an Ordinance that the Township would adopt after Easement is granted by the Norfolk Southern.

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- Sent a letter to the Bank in charge of maintenance of 34 Perryville Road regarding litter around the property. Mayor Mazza mentioned the place had been cleaned inside and outside.
- Spoke with the owner of 571 Main Street, Pattenburg, Mr. Droumbakis, who said that no scaffolding is left on his house. Atty. Jost suggested that Zoning Officer file a complaint with the Municipal Court. The Committee agreed.
- Matter for Executive Session.

b. Committee Report -Mr. Hirt reported the following:

- Suggested that a fence with an overhang in the recycling yard be installed to keep debris from flying over to the neighboring property.
- Wayne Rode from Energy Service will be stopping by the Municipal Building next Tuesday to assess if the Township qualifies to receive a grant for a generator.

Mr. Stothoff reported the following:

- Said he was contacted by Race Street residents complaining about re-routed traffic to Race Street due to an accident on I-78. Mr. Stothoff said most complaints were about heavy trailer trucks on a narrow local road and trash, some of which was hazardous, that was left behind. Mr. Stothoff asked Engineer Clerico to look into posting weight limit on Race Street. Mr. Mazza suggested that tractor-trailer traffic should not be allowed on Race Street.
- Distributed a spreadsheet that provided analysis of three websites as to services provided and costs. He said he spoke with three website hosting companies and his recommendation would be GovOffice located in Minnesota. Following a brief discussion the Committee agreed to change our current website host to GovOffice.

The following motion was put on the floor by Grace Brennan for approval:

To change the Township's Website Hosting to GovOffice starting at the Value Package and if necessary change it to Progressive Package.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger			x			
Mr. Stothoff		x	x			

Motion Carried

- Discussion ensued regarding the speed of internet at the municipal building and settings of our e-mail provider.

c. Mayor's Report

- Stated that DR&F crew cleaned garbage from the property on Race Street, next to Township Recycling Center. They picked up 17 bags of garbage. Recycling Attendants will be monitoring if any debris is going over the fence in the future.

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- Asked that Marc Strauss's title be changed from Public Safety Coordinator to Public Safety Director. Mr. Mazza said the new title would give the position more authority dealing with County and State Agencies. Mr. Severino asked if the title would give more power to the position. Atty. Jost answered that there would be a perception of more authority, but the Committee could specify exact powers of the position since it was created by the Committee. Atty. Jost will look into legal implication of using that title.

Mayoral Appointments to the Planning Board/Board of Adjustment:

Charles Neary – Class IV (Citizen Member) for an unexpired term ending 12/31/2021

Daniel Dix – Class IV (Citizen Member) for an unexpired term ending 12/31/2020

Daniel Petitt – Alternate I Member for an unexpired term ending 12/31/2020

15. PUBLIC COMMENT – none

16. PAYMENTS OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt	x		x			
Mr. Stiger					x	
Mr. Stothoff		x	x			

Motion Carried

15. EXECUTIVE SESSION – Action may be taken following Executive Session

The following Resolution was introduced for adoption:

RESOLUTION #2019-36

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____ Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

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3. _____Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. _____Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. _____Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. _____Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigation of possible violations of the law.

7. X Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

8. _____Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

9. _____Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on February 6, at 8:20 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt			x			

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Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion Carried

The Committee returned to regular meeting session at 8:42 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger			x			
Mr. Stothoff	x		x			

Motion Carried

Mayor Mazza appointed Mr. Stiger as the Liaison to Personnel and Mr. Stothoff and himself as signatories on the payment vouchers.

17. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Hirt made a motion to adjourn the meeting at 8:43 p.m. Mr. Stothoff seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor